

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

CARLOS LOPEZ,

Defendant.

16-CR-317-22 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

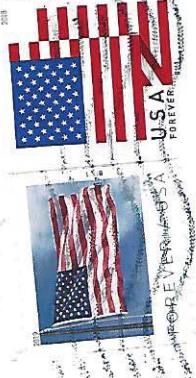
The Court has received the attached letter from defendant Carlos Lopez, which the Court treats as a *pro se* motion for compassionate release. To assure able briefing and thoroughgoing consideration of the issues presented, the Court asks trial counsel for Mr. Lopez to submit a memorandum of law in support of this application. This letter is due Thursday, May 28, 2020. The Government's response is due Monday, June 1, 2020. The Court encourages Government and defense counsel to confer in advance of these submissions to assure a full mutual understanding of the issues presented and arguments to be made.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: May 26, 2020  
New York, New York



Carlos Lopez 74267-054  
MDC-Brooklyn  
P.O. Box #329002  
Brooklyn NY 11232-9002

United States Courthouse  
At Clerk's Office  
500 Pearl St  
N.Y. N.Y. 10007

19007-134693  
LEGAL MAIL Hon. Engelmaier.

19007-134693

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Carlos Lopez

Petitioner

v.

16 Cr. 317 (PAE) (SDNY)

United States of America

Respondent

RE: Request/Motion For Compassionate Release  
pursuant to 18 U.S.C § 3582 (c)(1)(A)(i).

I Carlos Lopez move before the honorable Kaitlyn Boforest a motion For reduction of Sentence. As Amended by the First Step Act for compassionate release. 30 days has passed from the date of request by the warden.

The Above mentioned defendant is currently housed here at the Metropolitan Detention Center, Brooklyn N.Y. Where the epidemic of the Corona Virus has killed over 8,000 New York citizens.

His petition is that he has been quarantined for over a month, with 1 hour to shower, email, place a phone call amongst 12 inmates at a time, with 4 operating Shower and 4 working phone, and 5 working computers. on a 124 man unit. Due to the rapid spread of the Covid-19 disease inside M.D.C. brooklyn facility. Where over 6 inmates and 11 staff members have tested positive for the virus.

This virus is causing a pandemic around the world

Where over 100,000 people have died from this unknown virus. This germ is spread air born and it comes into contact of any surface it spreads like bacteria. There is no cure for this disease. The only thing that can help a person who contract this disease, is if God spares his life.

As of today May 14<sup>th</sup> 2020 Petitioner's unit is now sitting right across from unit 62, which is on full quarantine because an inmate has tested positive for Cov-19. It is just a matter of time before it spreads to the additional units. As the officers and staff travel to and from each unit, without hazardous safety procedures.

Petitioner will be the worst to suffer the potential of death if he contracts this virus. As Mr. Lopez suffers from asthma, heart murmur, and other respiratory complications. The (CDC) Center of Disease Control has issued a statement clarifying that people over the age of 60 and people with the forementioned illness will die from this disease, if their body cannot produce its own antibody to fight out this germ. Therefore putting Mr. Lopez in eminent danger of death.

Amongst the inhabitants of this Earth Mr. Lopez life is extremely endanger if he is continued to be housed in this unsafe environment. MDC Brooklyn has still not recovered from the heat-hot running water/electrical problem still pending in Court. see Scott v. Quay, NO. 19 Crv. 01075. This unstable facility is where Petitioner is housed pending his direct appeal, in front of Judge Engelmayer of the Southern District of New York. Docket No. 16 Cr. 317. Even if sent back to the custody of the BOP. This is a Global pandemic, that has a different but deadly survival rate as

Well. As each state is also dealing in this deadly crisis at an alarming rate.

Therefore under these "Extraordinary" and "Compelling" circumstances this Court must warrant a sentence reduction for Mr. Lopez to be released to his family to assist in their well-fare under the World most troubling Armageddon, Out of an abundance of Caution to the Compromise of his natural life. Currently Mr. Lopez is serving a 10 year sentence with over 3 1/2 years time served on this sentence. We further ask that the Government take into consideration the surrounding circumstances and the roles within Mr. Lopez conviction which was minimum, to consent in Mr. Lopez release.

Respectfully submitted,  
Carlos Lopez # 79367-054